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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 HIROK, INC., and MICHAEL J.  
12 SPITSBERGEN

13 Plaintiffs,

14 vs.

15 PIONEER LIFTS LLC and FASTENAL  
16 COMPANY

17 Defendants.

CASE NO. 07CV913 JLS (NLS)

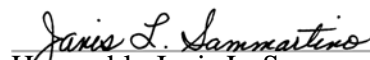
ORDER ACKNOWLEDGING  
VOLUNTARY DISMISSAL

(Doc. No. 8)

18 Presently before the Court is plaintiffs' Notice of Dismissal of defendant Fastenal  
19 Company. (Doc. No. 8.) Where, as here, the notice of dismissal is filed "before service by the  
20 adverse party of an answer or of a motion for summary judgment," dismissal does not require an  
21 Order of the Court. Fed. R. Civ. P. 41(a)(1)(i). Therefore, Fastenal Company **HAS BEEN**  
22 **DISMISSED WITHOUT PREJUDICE.**

23 IT IS SO ORDERED.

24 DATED: October 16, 2007  
25

26   
27 Honorable Janis L. Sammartino  
28 United States District Judge